

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

THIS DOCUMENT RELATES TO:

The County of Summit, Ohio, et al. v.
Purdue Pharma L.P., et al.,
Case No. 18-op-45090

The County of Cuyahoga, Ohio, et al. v.
Purdue Pharma L.P., et al.,
Case No. 17-op-45004

City of Cleveland, Ohio, et al. v.
AmerisourceBergen Drug Corp., et al.,
Case No. 18-op-45132

MDL No. 2804

Case No. 1:17-md-2804

Judge Dan Aaron Polster

**UNOPPOSED MOTION TO DISMISS CVS HEALTH CORPORATION AND ADD
CVS INDIANA, L.L.C. AND CVS RX SERVICES, INC. AS DEFENDANTS**

Pursuant to Federal Rule of Civil Procedure 21, Plaintiffs in the above-captioned cases hereby move to dismiss Defendant CVS Health Corporation (“CVS Health”) from the cases without prejudice and to add CVS Indiana, L.L.C. (“CVS Indiana”) and CVS Rx Services, Inc. (“CVS Rx Services”) as Defendants in those cases. CVS Health does not oppose the motion.

On May 25, 2018, CVS Health moved to dismiss the complaints in the above-captioned cases for lack of personal jurisdiction under Federal Rule of Civil Procedure 12(b)(2). If this motion pursuant to Rule 21 to dismiss CVS Health is granted, the motions to dismiss for lack of personal jurisdiction will be moot.

This motion and the addition of CVS Indiana and CVS Rx Services to these cases is without prejudice to any defenses, counterclaims, cross-claims, arguments, or other legal positions available to CVS Indiana and CVS Rx Services as Defendants in the cases.

Date: June 19, 2018

Respectfully submitted,

s/Peter H. Weinberger

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of June 2018, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF System. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF Systems.

s/Peter H. Weinberger
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One of Plaintiffs' Counsel